

**Response to Missing  
Requirements Under  
35 USC § 371**

Attorney Docket No.: MSCI.003NP  
First Named Inventor: Houghten et al.  
Int'l Application No.: PCT/US2005/002962  
US Application No.: 10/587987  
Entered National Phase: August 1, 2006  
Title: PEPTIDE MIXTURES WITH IMMUNOMODULATORY  
ACTIVITY

**Direct all correspondence to Customer # 20995**

Date: December 2, 2008

Page 1 of 1

**Mail Stop PCT**

United States Patent and Trademark Office  
PO Box 1450  
Alexandria, VA 22313-1450

Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:

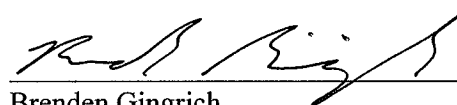
- (X) This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
- (X) Copy of the Notification of Missing Requirements under 35 USC 371 dated October 6, 2008.
- (X) An Oath or Declaration signed by the inventors (35 USC 371(c)(4)) in 10 pages.

**FILING FEES NOT YET PAID:**

| FEE CALCULATION |                   |              |                      |              |
|-----------------|-------------------|--------------|----------------------|--------------|
| FEE TYPE        |                   | LARGE FEE    | CALCULATION          | TOTAL        |
| Late Oath/Decl. | 37 CFR § 1.492(h) | 1617 (\$130) |                      | \$130        |
|                 |                   |              | <b>TOTAL FEE DUE</b> | <b>\$130</b> |

- (X) Fees will be paid via EFS Web.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-1410.



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# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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|                             |                       |                  |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/587,987                  | Richard A. Houghten   | MSCI.003NP       |

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|                               |  |
|-------------------------------|--|
| INTERNATIONAL APPLICATION NO. |  |
| PCT/US2005/002962             |  |

|                  |               |
|------------------|---------------|
| I.A. FILING DATE | PRIORITY DATE |
| 02/02/2005       | 02/02/2004    |

**CONFIRMATION NO. 7231**  
**371 FORMALITIES LETTER**



OC000000032402972

Date Mailed: 10/06/2008

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Priority Document
- Copy of the International Application filed on 08/01/2006
- Copy of the International Search Report filed on 08/01/2006
- Preliminary Amendments filed on 08/01/2006
- Information Disclosure Statements filed on 10/31/2006
- Oath or Declaration filed on 08/01/2006
- U.S. Basic National Fees filed on 08/01/2006
- Priority Documents filed on 08/01/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

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